

Payne, Nancy

15-00691

From: Friedel, Thomas
Sent: Monday, July 27, 2015 1:44 PM
To: Payne, Nancy
Subject: communication

Nancy,

Please enter this in Legistar for the next CC meeting.

Communication from the Alderman of the 12th District requesting referral to the PWS committee for this request to make revisions to the Municipal Code. Specifically, Chapter 42, Section 26, Item #8 pertaining to Solid Waste defined, tires; Section 30, placing and dumping of solid waste; Section 31, accumulation of solid waste, so that provisions are made to exclude the "repurposing" of tires.

Further consideration may also need to be made by the Plan Commission with respect to Chapter 114, Zoning: Sec.448 (15); Conditional Use in B-1 & B-2 districts, Dwelling units below the second floor; Sec. 114-146, Purpose of a conditional use; Sec. 114-154 Standards.

Thanks,

Tom

Thomas Friedel
Racine City Administrator
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Racine, WI 53403
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Sec. 42-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chief building inspector means the chief building inspector of the city or the authorized representative thereof.

Commercial or business means any public or private place, building and/or enterprise devoted in whole or in part to a business enterprise, whether nonprofit or profitmaking in nature, except where such place, building and/or enterprise constitutes a single-family residence or multiple-family residence.

Dwelling unit means any habitable room or group of adjoining habitable rooms located within a building and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking and eating of meals, and such term is interchangeable with the word "household."

Health officer means the public health administrator of the city or the authorized representative thereof.

Insects means roaches, bed bugs, fleas, lice, flies, mosquitoes and other similar pestlike creatures.

Institutional means any institutional enterprise; included in this category are hospitals, churches, schools, nursing homes, hotels, motels, homes for the aging, and all other like uses.

Lodginghouse means a residential building or portion thereof, containing lodging rooms which accommodate in the aggregate three or more persons who are not members of the keeper's family, for which lodging or meals, or both, or lodging and kitchen privileges are provided for compensation, and shall include hotels, motels and multiple dwellings not licensed by another governmental agency and not within the definition of tourist roominghouse as contained in Wisconsin Administrative Code HSS 195.03(20).

Multiple-family premises means all housing buildings having five or more dwelling units.

Premises means a plotted lot or part thereof or unplotted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or nondwelling structure.

Rodents means rats and mice.

Salvageable materials means discarded materials no longer of value for the use intended, but which are stored or retained from salvage, sale or future reuse.

Single-family premises means any housing building containing a single-family dwelling unit. For the purposes of this article, any one- to four-dwelling unit housing building shall fall under this category; each unit shall be regarded as a single-family dwelling unit.

Solid wastes means solid wastes consisting of garbage, refuse, and other discarded or salvageable

material, including waste material resulting from domestic use, public service activities, commercial and industrial operations, but does not include solid or dissolved waste material in wastewater effluents or other common water pollutants. Solid wastes shall consist of the following categories:

- (1) *Domestic waste*, meaning garbage, refuse, ashes and other wastes, including but not limited to metal, glass, paper, wood, rags, plastic, rubber, cloth, cans, bottles, litter, leaves, shrubbery, tree trimmings, grass clippings, brush, small quantities of construction or demolition wastes, and limited nauseous or offensive wastes, with the understanding that these wastes resulted from human habitation and the usual routine of housekeeping of residential units or incidental to the operation thereof.
- (2) *Commercial wastes*, meaning wastes resulting from the operation of business enterprises, including but not limited to offices, stores, restaurants and similar businesses.
- (3) *Industrial wastes*, meaning wastes resulting from manufacturing or industrial processes and operations.
- (4) *Garbage*, meaning wastes resulting from the handling, cooking, processing, preparation, serving, storage and consumption of food, including animal, fish, fowl, fruits, vegetables or other matter which is subject to decomposition, decay, putrefaction and the generation of offensive and noxious gases and odors.
- (5) *Refuse*, meaning miscellaneous combustible and noncombustible waste material resulting from housekeeping activities, including but not limited to cans, bottles, plastic, paper, ashes, glass, lawn and garden waste, metals, rubber, street wastes, wood, cloth, litter, leaves, shrubbery, brush and cardboard.
- (6) *Bulky wastes*, meaning discarded articles of such dimension as are not normally collected with domestic waste, including but not limited to items of appliance, furniture, plumbing fixtures, windows and doors, but which would be considered household wastes.
- (7) *Construction or demolition waste*, meaning waste resulting from building construction or demolition, alteration or repair, including excavated material, remodeling and waste such as concrete, stone, asphalt, sod, earth, dirt and brick.
- (8) *Vehicle waste*, meaning waste resulting from discarded items of a vehicle, such as tires, mufflers, exhaust pipes and engine parts, and which could include whole vehicles.
- (9) *Tree waste*, meaning waste resulting from the care of trees, shrubs and bushes by pruning, wind and storm damage or trimming, including branches, limbs, trunks and stumps.
- (10) *Hazardous or toxic wastes*, meaning waste materials or substances which during normal storage or handling may be a potential cause of harm, sickness or death, such as explosives, petroleum products, medical or pharmaceutical materials, corrosive chemicals, poisonous or pathogenic substances, whether in solid, liquid or gaseous form.
- (11) *Nauseous or offensive waste*, meaning those wastes that are unwholesome in nature or have an unpleasant smell or are otherwise nauseous or offensive, such as manure, filth, slops, carcasses, carrion, meat, fish, entrails, hides and hide scrapings, paint, kerosene, oily or greasy substances, and also objects that may cause injury to any person or animal or damage to

vehicles, such as barbed wire, briar thorns, or other similar materials or substances.
(Code 1973, § 11.03.010; Ord. No. 21-90, pt. 2, 12-18-90; Ord. No. 18-03, pt. 8, 9-16-03)

Cross reference— Definitions generally, § 1-2.

Sec. 42-30. - Placing or dumping of solid waste.

No person shall place, leave, dump, accumulate or store any solid waste in any building or on any premises, improved or vacant, or upon any open lot, street or alley in the city. This section in no way affects solid waste being stored on occupied premises for solid waste collection purposes in accordance with the provisions of section 78-31 et seq.

(Code 1973, § 11.03.030)

Sec. 42-31. - Accumulation and storage of solid waste.

No person shall accumulate or store on any premises, improved or vacant, or on any open lot, street or alley in the city any materials considered to be in the category of solid waste. Yard areas shall not be used to store appliances, furnaces, hot water heaters, water softeners, building materials or other bulky waste not to be used within five days. This section in no way affects solid waste being stored on occupied premises for solid waste collection purposes in accordance with the provisions of section 78-31 et seq.

(Code 1973, § 11.03.040; Ord. No. 29-92, pt. 2, 9-15-92)